

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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IN RE SONUS NETWORKS, INC.	:	Civil Action
LITIGATION	:	No. 04-10294-DPW
	:	
-----	x	<b><u>ORAL ARGUMENT REQUESTED</u></b>

**DEFENDANT STEPHEN J. NILL'S MOTION TO DISMISS**

Pursuant to Federal Rules of Civil Procedure 9(b) and 12(b)(6),  
Defendant Stephen J. Nill ("Mr. Nill") hereby moves this Court to dismiss the  
Amended Consolidated Class Action Complaint with prejudice. The grounds for Mr.  
Nill's Motion to Dismiss are set forth in the accompanying memorandum of law.

**REQUEST FOR ORAL ARGUMENT**

Pursuant to Local Rule 7.1(D), Mr. Nill hereby respectfully requests  
oral argument on this motion.

Dated: January 28, 2005  
Boston, Massachusetts

Respectfully submitted,

/s/ Matthew J. Matule  
Thomas J. Dougherty (BBO #132300)  
Matthew J. Matule (BBO #632075)  
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Counsel for Defendant Stephen J. Nill

**LOCAL RULE 7.1 CERTIFICATION**

I, Matthew J. Matule, hereby certify that counsel for the plaintiff is expecting this motion based upon conversations with counsel for Sonus Networks, Inc. and the stipulations on file with the Court concerning the briefing schedule regarding same and, consequently, it is unlikely that the parties will be able to resolve or narrow the issues involved in this motion.

Dated: January 28, 2005

/s/ Matthew J. Matule  
Matthew J. Matule